

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause	)	DOCKET NO. 910787-TC
proceedings against PAYTEL SYSTEMS for	)	
violation of Florida Public Service	)	ORDER NO. 25206
Commission service standards.	)	
<hr/>		ISSUED: 10/11/91

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman  
 SUSAN F. CLARK  
 J. TERRY DEASON  
 BETTY EASLEY  
 MICHAEL McK. WILSON

ORDER TO SHOW CAUSE WHY A FINE SHOULD  
 NOT BE IMPOSED FOR VIOLATION OF PAY  
 TELEPHONE SERVICE STANDARDS

BY THE COMMISSION:

Paytel Systems, Inc. (Paytel or the Company) has been a certificated pay telephone service (PATS) provider since January 1, 1991. As a certificated PATS provider, Paytel is subject to our jurisdiction.

On February 7, 1991, our staff performed a service evaluation on a pay telephone operated by Paytel in St. Petersburg. Of 32 routine inspection standards, 18 violations were noted. Included among these violations were the following Rules:

25-24.515(5) - Each telephone station shall be equipped with a legible sign, card or plate of reasonable permanence which shall identify the following: telephone number and location address of such station, name or recognizable logo of the owner and the party responsible for repairs and refund, address of responsible party, free phone number of responsible party, clear dialing instructions (including notice of the lack of availability of local or toll services), and, where applicable, a statement that the phone is not maintained by the local exchange company.

25-24.515(11) - Where there are fewer than three telephones located in a group, a directory for the entire local calling area shall be maintained at each station. Where there are three or more telephones located in a group, a directory for

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the entire local calling area shall be maintained at every other station. However, where telephone stations are fully enclosed, a directory shall be maintained at each station.

Our staff contacted Paytel on March 7, 1991 and requested corrective measures and a written response within 15 days. On March 18, Paytel responded to staff's letter asserting that all the violations had been corrected.

On July 22, 1991, a subsequent evaluation was performed on the pay telephone first evaluated on February 7, 1991. The subsequent evaluation revealed that many of the original violations noted were still present. Furthermore, violations were also noted at nine other pay telephones operated by Paytel. Each of these locations had between two and six violations. These violations included Rules 25-24.515(5) and 25-24.515(11) noted above.

On July 22, 1991, our staff contacted Paytel regarding these latest violations, requesting corrective actions and a written response within 15 days. Paytel filed a timely response on August 5, 1991, asserting that the latest violations had been corrected.

Despite the latest assertions of corrective actions, we are gravely concerned with the high number of apparent violations found at pay telephones operated by Paytel. We are also gravely concerned with what may be a misrepresentation of corrective measures made by Paytel to our staff.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Paytel Systems, Inc. is required to show cause why it should not be fined up to \$5,000 for the violations alleged in the body of this Order. It is further

ORDERED that any response to this Order shall be filed pursuant to the requirements set forth below. It is further

ORDERED that if Paytel elects to pay the fine, this docket shall be closed. It is further

ORDERED that if Paytel fails to file a written response to this Order pursuant to the requirements set forth below, Certificate No. 1362 shall be canceled and this docket closed.

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By ORDER of the Florida Public Service Commission, this 11th  
day of OCTOBER, 1991.



STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

This order is preliminary, procedural or intermediate in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.037(1), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on 10/31/91.

Failure to respond within the time set forth above shall constitute an admission of all facts and a waiver of the right to a hearing pursuant to Rule 25-22.037(3), Florida Administrative Code, and a default pursuant to Rule 25-22.037(4), Florida Administrative Code. Such default shall be effective on the day subsequent to the above date.

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If an adversely affected person fails to respond to this order within the time prescribed above, that party may request judicial review by the Florida Supreme Court in the case of any electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure.